



County of Los Angeles CHIEF EXECUTIVE OFFICE

Kenneth Hahn Hall of Administration
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WILLIAM T FUJIOKA
Chief Executive Officer

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December 7, 2010

The Honorable Board of Supervisors
County of Los Angeles
383 Kenneth Hahn Hall of Administration
500 West Temple Street
Los Angeles, CA 90012

Dear Supervisors:

**DEPARTMENT OF PUBLIC WORKS: JOB ORDER CONTRACTS FOR
MAINTENANCE, REPAIR, AND REFURBISHMENT OF COUNTY
INFRASTRUCTURE AND FACILITIES
AWARD JOB ORDER CONTRACTS
SPECS. VARIOUS
(ALL DISTRICTS) (3 VOTES)**

SUBJECT

This action will authorize the Director of Public Works to award nine separate Job Order Contracts to the Lowest Responsive and Responsible Bidders.

IT IS RECOMMENDED THAT YOUR BOARD:

1. Find the award of Job Order Contracts exempt from the California Environmental Quality Act.
2. Authorize the Director of Public Works or her designee to award five separate Job Order Contracts in the not-to-exceed amounts of \$4.2 million each and an additional four separate Job Order Contracts in the not-to-exceed amounts of \$1 million each to the Lowest Responsive and Responsible Bidders; authorize the Director of Public Works or her designee to execute the Job Order Contracts in the form previously approved by County Counsel and to establish the effective date following receipt of approved Faithful Performance and Labor and Materials Bonds filed by the contractors; authorize the Director of Public Works or her designee to issue work orders to the selected contractors in an aggregate per Job Order Contract amount

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not-to-exceed the maximum amount of each Job Order Contract upon receipt of funding authorization from the Chief Executive Office or the appropriate funding authorization.

ACTING AS THE GOVERNING BODY OF THE LOS ANGELES COUNTY FLOOD CONTROL DISTRICT

3. Delegate authority to the Director of Public Works or her designee to act on behalf of the Los Angeles County Flood Control District to issue work orders to the selected contractors in an aggregate per Job Order Contract amount not-to-exceed the maximum amount of each Job Order Contract upon receipt of funding authorization from the Chief Executive Office or the appropriate funding authorization to carry out maintenance, repair, remodeling, and refurbishment work for the Los Angeles County Flood Control District.

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION

Approval of the recommended actions will find the project exempt from the California Environmental Quality Act (CEQA) and augment the Department of Public Works' (Public Works) ability to effectively and efficiently maintain, repair, and refurbish County and Flood Control District infrastructure and facilities.

The Job Order Contract (JOC) is a flexible, cost-effective unit price contracting method to accomplish maintenance, repair, remodeling, and refurbishment of County facilities and infrastructure without extensive plans and specifications. The State Public Contract Code allows JOCs to be valid for one year. Public Works will implement the Board-approved Local Worker JOC Program based on project location in accordance with the intent of the program. The proposed JOCs will be used for repair, remodeling, refurbishment, or other repetitive work, but not for new construction.

The aggregate requested amount of JOC authority is based on the anticipated need of repair, remodeling, refurbishment, and maintenance projects, including those of Public Works' Road Maintenance and Flood Maintenance Divisions, as well as repair, refurbishment, and maintenance projects for other County General and Special Fund departments. In the past three years, Public Works awarded a total of 58 JOCs as summarized in the following:

Year	No. of JOCs	Total JOC Authority	Total JOC Authority Spent	Percentage (%) Authority Spent
2007	26	\$100,800,000	\$71,121,279.78	71%
2008	12	\$ 46,000,000	\$41,298,126.65	90%
2009	20	\$ 80,000,000	\$29,664,777.24	37%

Public Works anticipates issuing nearly \$21 million in work orders during the year that the proposed contracts are valid, leaving the remaining \$4 million in authority as a reserve for unanticipated repair and maintenance projects.

This relatively simple and straightforward process reduces administrative requirements and lowers direct construction costs while meeting Federal, State, and County procurement requirements. The contracts will be publicly advertised for bids and awarded to the Lowest Responsive and Responsible Bidders in accordance with the State Public Contracting Code (see the Facts and Provisions/Legal Requirements and Contracting Process Sections for details and definitions).

We recommend your Board authorize the Director of Public Works or her designee to award nine JOCs, five separate Job Order Contracts in not-to-exceed amounts of \$4.2 million each and four separate JOCs in not-to-exceed amounts of \$1 million each, to the Lowest Responsive and Responsible Bidder on each contract following bid review.

Implementation of Strategic Plan Goals

The Countywide Strategic Plan directs the provision of Organizational Effectiveness (Goal 3), by increasing our ability to manage fluctuations in workload in a responsive manner and provide responsive, efficient, and high-quality public service.

FISCAL IMPACT/FINANCING

There is no anticipated fiscal impact to the County as a result of the recommended actions. Maintenance, repair, remodeling, and refurbishment work will be financed through the appropriate capital, refurbishment, infrastructure, or Public Works fund(s). For capital projects and refurbishments, no work will be assigned to these JOCs without the prior review and funding verification from the Chief Executive Office (CEO) and the approval of the project scope and budget by your Board. For Public Works' infrastructure and maintenance projects, no work will be assigned to these JOCs without the appropriate funding authorization.

Public Works will work with the CEO to quantify any administrative costs attributable to the Local Worker JOC Program and present any necessary budgetary recommendations to your Board for approval.

FACTS AND PROVISIONS/LEGAL REQUIREMENTS

The contracts will be in the form previously reviewed and approved by County Counsel. The recommended contracts, JOCs 1030 through 1038, have been solicited on an open-competitive basis and in accordance with applicable Federal, State, and County

requirements. The contractors will be in compliance with the CEO's and your Board's requirements.

The award of the JOC contracts will not result in unauthorized disclosure of confidential information and will be in full compliance with Federal, State, and County regulations. The contracts will contain terms and conditions supporting your Board's ordinances, policies, and programs, including but not limited to: County's Greater Avenues for Independence and General Relief Opportunities for Work Programs (GAIN/GROW), Board Policy No. 5.050; Contract Language to Assist in Placement of Displaced County Workers, Board Policy No. 5.110; Reporting of Improper Solicitations, Board Policy No. 5.060; Notice to Contract Employees of Newborn Abandonment Law (Safely Surrendered Baby Law), Board Policy No. 5.135; Contractor Employee Jury Service Program, Los Angeles County Code, Chapter 2.203; Notice to Employees Regarding the Federal Earned Income Credit (Federal Income Tax Law, Internal Revenue Service Notice 1015); Contractor Responsibility and Debarment, Los Angeles County Code, Chapter 2.202; Child Support Compliance Program, Los Angeles County Code, Chapter 2.200; Defaulted Property Tax Reduction Program Ordinance, Los Angeles County Code, Chapter 2.206; and the standard Board-directed clauses that provide for contract termination or renegotiation.

Data regarding the proposers' minority participation will be on file with Public Works. The contractors will be selected upon final analysis and consideration without regard to race, creed, gender, or color.

The State Public Contract Code requires the County to award construction contracts to the Lowest Responsive and Responsible Bidder, which is defined as the firm that: (1) submits the bid with the lowest cost; (2) is deemed by the County to be responsive to specific criteria under the solicitation including, but not limited to, licensure, bonding, and insurance requirements; and (3) is determined by the County to be a responsible bidder by demonstrating the attributes of trustworthiness, quality, fitness, capacity, and experience to satisfactorily perform the work required under the bid solicitation.

To ensure that the contracts are awarded to the lowest responsible contractors with a satisfactory history of performance, bidders will be required to report violations of the False Claims Act, criminal convictions, civil litigation, defaulted contracts with the County, complaints filed with the Contractors' State License Board, labor law/payroll violations, and debarment actions. As provided for in Board Policy No. 5.140, the information reported by the contractors will be considered before making a recommendation to award.

The General Conditions, Specifications, and Unit Price Books include the contractual provisions, methods, and material requirements necessary for this project and are on file with Public Works.

Local Worker Hiring JOC Program

Monitoring of the Local Worker JOC Program will be provided by Public Works contract administration staff based on review of the JOC work site and individual labor hours in the local area to determine a percentage of hours worked by each of the specific work orders. The contractors will provide certified payroll records for labor forces. These records will be monitored by work order, hours worked, and zip code of the workers to establish the percentage of total work performed by local forces. Public Works will report the results of the Local Worker JOC Program to your Board each year as part of its annual resolicitation for JOC contractors.

ENVIRONMENTAL DOCUMENTATION

This recommended actions are exempt from CEQA because it can be seen with certainty that there is no possibility that approval of the project may have a significant impact on the environment pursuant to Section 15061(b)(3) of the State CEQA Guidelines. The proposed project is covered by the general rule that CEQA applies only to projects that have the potential for causing a significant effect on the environment. Your Board's approval of the JOCs does not include approval of the work done pursuant to the specific contracts. The implementation of each work order under these JOCs shall be subject to prior determination and documentation by Public Works that the work is categorically exempt from CEQA. In the event the work is not exempt, your Board will be requested to approve the appropriate environmental finding and any applicable documentation pursuant to CEQA prior to implementation of work orders under the contracts.

CONTRACTING PROCESS

On October 19, 2010, using the JOC Unit Price Book and Specifications adopted by your Board on June 29, 2010, we issued a request for Bids for a total of nine JOCs. Bids were due on November 8, November 15, November 22, and November 29, 2010. Bidders were required to submit a set of cost adjustment factors that would be applied to the unit prices for work in the JOC Unit Price Book. Bids were determined by calculating a composite factor using a predetermined formula. The JOC Unit Price Book and contractors' adjustment factors will be incorporated in the awarded contracts.

As requested by your Board on February 3, 1998, the invitation for bids have been listed on the Doing Business with Us website.

Public Works has evaluated and determined that the Living Wage Program (County Code Chapter 2.201) does not apply to the recommended contracts as these contracts are for non-Proposition A services.

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Participation by Community Business Enterprises (CBE) in the project is encouraged through Public Works' Capital Projects CBE Outreach Program and by monitoring the good faith efforts of bidders to utilize CBEs.

IMPACT ON CURRENT SERVICES (OR PROJECTS)

The use of these contracts will expedite the completion of maintenance, repair, and refurbishment of County and Flood Control District infrastructure and facilities work managed by Public Works. Minor impacts to tenant departments may occur while maintenance, repair, and refurbishment work on such infrastructure and facilities is underway.

CONCLUSION

Please return one adopted copy of this letter to the Chief Executive Office, Capital Projects Division, and the Department of Public Works, Architectural Engineering Division.

Respectfully submitted,



WILLIAM T FUJIOKA
Chief Executive Officer

WTF:GF:DJT
RB:zu

Attachment

c: Executive Office, Board of Supervisors
County Counsel
Public Works

Bid Detail Information

Bid Number : JOC1030-1034

Bid Title : JOB ORDER CONTRACTS 1030 through 1034

Bid Type : Construction

Department : Public Works

Commodity : BUILDING CONSTRUCTION SERVICE, NON- RESIDENTIAL (OFFICE BLDG., ETC.)

Open Date : 10/18/2010

Closing Date : 11/8/2010 10:45 AM

Bid Amount : \$ 4,200,000

Bid Download : Not Available

Bid Description : The work consists of a broad array of maintenance, repair, and refurbishment of County infrastructure and facilities projects under the direction of Public Works. Public Works will hold a mandatory pre-bid conference for all JOC bids at 2 p.m. on November 1, 2010, at 900 South Fremont Avenue, Conference Room C, Alhambra, California 91803, to provide information on the JOC, bidding process and answer any questions that potential bidders may have. To be considered responsive to this invitation for bid, bidders must attend the mandatory pre-bid conference. Bids from bidders who do not attend the pre-bid conference will be rejected as nonresponsive. It is strongly recommended that the pre-bid conference be attended by a principal of the company or a person authorized to make decisions for the company.

The maximum dollar value of each contract is \$4,200,000.

JOC Specification Packets and Bid Forms are available for purchase at the Cashiers Office of Public Works. Individual specification sets are \$15, or \$100 for all 9 sets.

Contact Name : Rosalinda Franco

Contact Phone# : (626) 458-2534

Contact Email : rfranco@dpw.lacounty.gov

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Bid Detail Information

Bid Number : JOC1035-1038

Bid Title : JOB ORDER CONTRACTS 1035 through 1038

Bid Type : Construction

Department : Public Works

Commodity : BUILDING CONSTRUCTION SERVICE, NON- RESIDENTIAL (OFFICE BLDG., ETC.)

Open Date : 10/18/2010

Closing Date : 11/8/2010 10:45 AM

Bid Amount : \$ 1,000,000

Bid Download : Not Available

Bid Description : The work consists of a broad array of maintenance, repair, and refurbishment of County infrastructure and facilities projects under the direction of Public Works. Public Works will hold a mandatory pre-bid conference for all JOC bids at 2 p.m. on November 1, 2010, at 900 South Fremont Avenue, Conference Room C, Alhambra, California 91803, to provide information on the JOC, bidding process and answer any questions that potential bidders may have. To be considered responsive to this invitation for bid, bidders must attend the mandatory pre-bid conference. Bids from bidders who do not attend the pre-bid conference will be rejected as nonresponsive. It is strongly recommended that the pre-bid conference be attended by a principal of the company or a person authorized to make decisions for the company.

The maximum dollar value of each contract is \$1,000,000.

JOC Specification Packets and Bid Forms are available for purchase at the Cashiers Office of Public Works. Individual specification sets are \$15, or \$100 for all 9 sets.

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